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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/364,315	07/30/1999	THOMAS T. CHEUNG	ST9-99-078	9277

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EXAMINER

NGUYEN, HAI V

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 12/17/2001

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/364,315

Applicant(s)

CHEUNG, THOMAS T.

Examiner

Hai V. Nguyen

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. This Action is in response to the information received on 30 July 1999.

Drawings

2. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heath et al. (US 5,553,239) hereinafter referred to as Heaths in view of White (US 6,049,877)

Regarding claim 1, Heaths, Management Facility For Server Entry And Application Utilization In A Multi-Node Server, discloses, a method of determining access, the method comprising the steps of: receiving one or more requests to access a system (Heaths teaches that a server architecture for connecting to a plurality of remote client computers each seeking access to applications resident on the server, Heaths, Abstract, Fig. 1); However, Heaths does not explicitly disclose, for each request, determining whether to allow access to the system using access vector to identify an available access object. Thus, the artisan would have been motivated to look into the

related network application access art for potential methods and systems for implementing the access control of network applications.

In the same field of endeavor, White, related Systems, Methods, And Computer Program Products For Authorizing Common Gateway Interface Application Requests, discloses in an analogous art network application access control. White teaches that a Web server receives a client request to execute a CGI (Common Gateway Interface) application from a client. The CGI is one of a set of secured CGI applications. If the request is not accompanied by authentication token (access vector), the authentication routine of the CGI creates an authentication token and transmits the token to the client, White, Abstract, col. 2, lines 50-55). Once a user has been granted access to a CGI application within the set (available access object), the user will have access to all CGI applications within the set until the authentication key expires, White, col. 3, lines 11-14)

Accordingly, it would have been obvious to one of ordinary skill in the network application access art at the time the invention was made to have incorporated White's teachings of assigning a common authentication routine to each CGI application within a set which can generate and validate an authentication token, user-level access control may be provided such that any of multiple CGI applications within a set can be executed upon request by an authenticated client (White, col. 3, lines 2-7) with the teachings of Heaths, for the purpose of taking the following advantages: the authenticated access to CGI application that is web server-independent and operating system independent, White, col. 2, lines 39-43; col. 3, lines 14-16). White suggests user-access level can be

granted to a set of CGI applications on any web server running on any operating system (White, col. 3, lines 16-18).

Regarding claim 2, Heaths-White discloses, wherein the access object comprises information regarding attributes of the access object (user authorization information) (White, Figs. 3, 4, 5; col. 2, lines 61-62; col. 7, lines 1-8).

Regarding claim 3, Heaths-White discloses, wherein the step of determining further comprises the step of evaluating whether the request can be satisfied with an available access object based on one or more attributes of that access object (Heaths, col. 13, lines 29-31; col. 14, lines 3-4). (White also teaches that the validity of an authentication token is preferably based upon an authentication key and token data used to create the token, as described in col. 6, lines 62-67 and col. 7, lines 1-59).

Regarding claim 4, Heaths-White discloses, further comprising the step of returning a result to the request (White, Abstract; Fig. 4, box 106; Fig. 5, box 216; col. 6, lines 26-29).

Regarding claim 5, Heaths-White discloses, further comprising the step of modifying the access vector upon receiving an indication that a request has completed its access to the system (Heaths teaches that the connection management that monitors the user's level of online activity, terminating inactive connections both to save system resources and to limit unnecessary connection charges to the user, Heaths, Abstract; col. 3, lines 42-44).

Regarding claim 6, Heaths-White discloses, further comprising the step of modifying the access vector to modify a number of access objects (Heaths teaches that

the application management that spreads users optimally among active application instances, maintaining a pool of available applications (access objects), initiating new instances when the pool is low, and which records a user's utilization of different applications for billing purposes, Heaths, Abstract; col. 3, lines 44-48).

Regarding claims 7, 8, Heaths-White discloses, wherein the number of access objects is increased/decreased (Heaths teaches that the general approach of the invention is to distribute tasks to different functional modules in a manner that promotes efficiency and ready accommodation of large numbers of users without processing delays, Heaths, Abstract; col. 3, lines 53-57).

Regarding claim 9, Heaths-White discloses, further comprising the step of modifying one or more attributes of an access object (White teaches that the CGI returns a form to the client requesting a user name and password. The CGI uses this information to grant access, thus providing user level access control at the CGI level, White, col. 2, lines 62-65; col. 7, lines 1-8; col. 8, lines 23-42).

Regarding claim 10, Heaths-White discloses, further comprising the step of allowing one request at a time to manipulate the access vector (White teaches that a web server receives a client request to execute a CGI application from a client. Authentication routines shared by a set of CGIs are executed by the requested CGI application to determine if the request is accompanied by an authentication token, White, Abstract, col. 6, lines 62-67).

Claim 11 recites an apparatus corresponding to the method of operation of claim 1. The apparatus claimed is obvious in that it simply follows the logical implementation

of the method indicated in the referenced claims to perform each of the logical steps of controlling access to web servers method that results from the combination of the references discussed above regarding the claims to the method of operation. Thus, the apparatus described in claim 11 would have been obvious in view of the elements provided in the combination of the references, which correspond to the steps in the method of operation for the same reasons discussed above regarding claim 1.

Claim 12 is substantially the same as claim 2 and is thus rejected for the reason similar to those in rejection claim 2.

Claim 13 is substantially the same as claim 3 and is thus rejected for the reason similar to those in rejection claim 3.

Claim 14 is substantially the same as claim 4 and is thus rejected for the reason similar to those in rejection claim 4.

Claim 15 is substantially the same as claim 5 and is thus rejected for the reason similar to those in rejection claim 5.

Claim 16 is substantially the same as claim 6 and is thus rejected for the reason similar to those in rejection claim 6.

Claim 17 is substantially the same as claim 7 and is thus rejected for the reason similar to those in rejection claim 7.

Claim 18 is substantially the same as claim 8 and is thus rejected for the reason similar to those in rejection claim 8.

Claim 19 is substantially the same as claim 9 and is thus rejected for the reason similar to those in rejection claim 9.

Claim 20 is substantially the same as claim 10 and is thus rejected for the reason similar to those in rejection claim 10.

Regarding claim 21, Heaths-White discloses an article of manufacture comprising a computer program carrier readable by a computer and embodying one or more instructions (White, col. 6, lines 4-8) executable by the computer to perform the method steps for determining access as in the apparatus of claim 11 above. The Examiner takes **Official Notice (see MPEP 2144.03)** that it is well known in the networking art to utilize a computer program carrier readable by a computer embodying one or more instructions for the storing and execution of the method and apparatus in order to perform the functional procedures for determining, controlling access to web servers and computer resources. Therefore, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have included the use of a computer program carrier readable by a computer embodying one or more instructions executable by the computer to store and execute the procedures of managing computer network resources and determining access control because use of storage medium for programs used in general purpose computer to execute special purpose functions was routine in the art.

Claim 22 is substantially the same as claim 12 and is thus rejected for the reason similar to those in rejection claim 12.

Claim 23 is substantially the same as claim 13 and is thus rejected for the reason similar to those in rejection claim 13.

Claim 24 is substantially the same as claim 14 and is thus rejected for the reason similar to those in rejection claim 14.

Claim 25 is substantially the same as claim 15 and is thus rejected for the reason similar to those in rejection claim 5.

Claim 26 is substantially the same as claim 16 and is thus rejected for the reason similar to those in rejection claim 16.

Claim 27 is substantially the same as claim 17 and is thus rejected for the reason similar to those in rejection claim 17.

Claim 28 is substantially the same as claim 18 and is thus rejected for the reason similar to those in rejection claim 18.

Claim 29 is substantially the same as claim 19 and is thus rejected for the reason similar to those in rejection claim 9.

Claim 30 is substantially the same as claim 20 and is thus rejected for the reason similar to those in rejection claim 20.

Prior Art Of Record

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Baker et al. (US 5444859), Terry et al. (US 5581753), Dykes et al. (US 5872915), Cheng et al. (US 5881232), Brandt et al. (US 5892905), McCollum et al. (US 6006228), Brandt et al. (6125384), Brandt et al. (6144990), Dresel et al. (US 617,019 B1) are related to prior art disclosing implementation of network data access control systems.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 703-306-0276. The examiner can normally be reached on 8:00-4:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703-305-4815. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7240.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3230.

Hai V. Nguyen
Examiner
Art Unit 2152

HVN
December 14, 2001



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